

REMARKS/ARGUMENTS

Claims 1-5 and 7-10 were rejected in the Office action that was mailed on December 12, 2007. Claim 1 is hereby amended and new claims 21-27 have been added, each of which depends from claim 1 or from a claim dependent thereon. Claims 1-5, 7-10, and 21-27 are currently pending.

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. The Office action indicated that it was not clear if the fluid described in line 8 is grease. The fluid recited in claim 1 is not grease. Claim 1 has been amended to recite that the “the fluid has a first density that is different than a second density of the grease delivered to the container.” Support for the amendment can be found in paragraphs 26 and 30.

Claims 1-3 were rejected under 35 U.S.C. § 102(b) as being anticipated by DE19636123 (“DE”).

Claim 1 requires a portable container including an internal grease collection reservoir containing a fluid of sufficient amount to maintain at least a predetermined fluid level and further includes a grease removal conduit that extends below the predetermined fluid level. The Office action speculates that DE’s receptacles 24 and 26 could eventually fill up with grease to a level that is above the end of drain line 22. However, DE does not disclose that grease fills up receptacles 24 and 26 to a level that is above the end of drain line 22. Furthermore, DE does not disclose that drain line 22 extends any further into the receptacles 24 and 26 than just to the top of receptacles 24

and 26 as shown in Fig. 1, which would make it quite difficult to maintain a fluid level that is above the end of drain line 22.

In the interest of furthering prosecution and without conceding that DE anticipates claim 1 as originally presented, claim 1 has been amended to recite that the internal grease collection reservoir of the container includes a fluid that has a different density than the density of the grease that is received in the container. DE does not disclose that receptacles 22 and 24 contain a fluid having a different density than grease.

Therefore, DE does not anticipate claim 1, nor its dependent claims 2-10 and 21-27.

Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over DE as applied to claim 1. As discussed above, DE fails to disclose the limitations of claim 1, as amended. Accordingly, claim 7 is not obvious over the cited art and is believed to be in condition for allowance.

Claims 4 and 5 were rejected under 103(a) as being unpatentable over DE as applied to claims 1 and 2, further in view of Batten. As discussed above, DE fails to disclose the limitations of claims 1 and 2, as amended. Batten is cited for merely teaching a second drain for the removable of non-grease condensation. Batten was not cited for teaching the limitations of claims 1 and 2, and Batten does not teach those limitations. Accordingly, claims 4 and 5 are not obvious over the cited prior art and are believed to be in condition for allowance.

Claim 8 was rejected under 103(a) as being unpatentable over DE as applied to claim 1, further in view of BR 9705607 ("BR"). As discussed above, DE fails to disclose

the limitations of claim 1, as amended. BR is cited for merely teaching a siphon tube. BR was not cited for teaching the limitations of claim 1, and BR does not teach those limitations. Accordingly, claim 8 is not obvious over the cited prior art and is believed to be in condition for allowance.

Claims 9 and 10 were rejected under 103(a) as being unpatentable over DE as applied to claim 1, further in view of DeSpain. As discussed above, DE fails to disclose the limitations of claim 1, as amended. DeSpain is cited for merely teaching a grease transfer pump. DeSpain was not cited for teaching the limitations of claim 1, and DeSpain does not teach those limitations. Accordingly, claims 9 and 10 are not obvious over the cited prior art and are believed to be in condition for allowance.

Conclusion

In view of these distinctions between the subject matter of the present claims and teachings of the cited patents, reconsideration and allowance of the present application are requested. The Commissioner is hereby authorized to charge any fees due with this Response to U.S. PTO Account No. 17-0055.

Respectfully submitted,

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